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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,103	01/23/2004	Todd L. Demmy	2944 (203-4027)	7897

7590 04/09/2009
Chief Patent Counsel
United States Surgical,
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195 McDermott Road
New Haven, CT 06473

EXAMINER

SEVERSON, RYAN J

ART UNIT	PAPER NUMBER
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3731

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04/09/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10764103	1/23/2004	DEMMY ET AL.	2944 (203-4027)

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EXAMINER

Ryan J.. Severson

ART UNIT	PAPER
3731	20090408

DATE MAILED:

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Commissioner for Patents

In response to the granted petition to accepted an unintentionally delayed claim for priority, Examiner hereby affirms that this case meets the requirements of 35 U.S.C 119(e) and 37 CFR 1.78(a)(4) and (a)(5). Therefore, this application is granted priority under 35 U.S.C. 119(e) to provisional application 60/466378.

Examiner also notes that the case remains abandoned for failure to respond to the office action mailed 10/19/2006 as confirmed by Christopher Trainor in a telephone conversation on 04/24/2007 and acknowledged by Mr. Trainor in the petition filed 04/10/2008 (see page 3 of 3 of that petition).

ANH TUAN T. NGUYEN
SUPERVISORY PATENT EXAMINER

4/8/09.

P.S.
4/8/2009